

REMARKS

Reconsideration and allowance of the subject application in view of the following remarks are respectfully requested.

By this Amendment, claims 21, 23 and 28 are amended. Accordingly, claims 1-28 are pending in this application. No new matter is presented in this Amendment.

Claim objections

The Examiner objects to claim 27 because of informalities. Applicant amends claim 27 to replace the word “the” before “method” with “a” as suggested by the Examiner to obviate the objection thereto. Accordingly, withdrawal of the objection to claim 27 is respectfully requested.

Claim rejections- 35 U.S.C. §112

Claims 21-26 are rejected under *35 U.S.C. §112, second paragraph* as being indefinite for failing to particularly point out and distinctively claim the subject matter. Applicant respectfully submits that claim 26 is in independent form, so that claim 26 cannot be rejected because of the dependency. Further, Applicant amends the language in claim 21 to overcome these rejections, therefore, claim 21 should be patentable. Further, claims 22-25 depend from claim 21, and are considered patentable at least for the reason advanced with respect to claim 21. Accordingly, this rejection should be withdrawn.

Double patenting

Claims 1-28 are rejected on the ground of nonstatutory provisional obviousness-type double patenting as being unpatentable over claims 1-27 of copending Application No. 10/814,285 and claims 1-28 of copending Application No. 10/814,286. In response, a Terminal Disclaimer is filed with the present application. Accordingly, this rejection should be withdrawn.

All objections and rejections have been addressed. In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance and favorable reconsideration and prompt allowance of claims 1-28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN HAM & BERNER, LLP

/Yoon S Ham/
Yoon S. Ham
Registration No. 45,307

YSH/CY/jr
Customer Number: 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
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